

**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

Street: 112 Henry Street NE, Suite 300, Olympia, WA 98506

Mail: PO Box 40919, Olympia, WA 98504-0919

Phone: (360) 570-7300 Fax: (360) 570-7334 E-mail: filing@perc.wa.gov

**PETITION FOR INVESTIGATION OF
QUESTION CONCERNING REPRESENTATION**☐ Amended Petition in Case _____Instructions: www.perc.wa.gov/Forms/E-1-inst.pdf Applicable Rules: Chapters 10-08, 391-08 and 391-25 WAC.

DO NOT WRITE IN THIS SPACE

RECEIVED
OLYMPIA, WA

2009 DEC 14 PM 3:16

PUBLIC EMPLOYMENT
RELATIONS COMMISSION**1. PARTIES** The petitioner claims that a question concerning representation exists involving certain employees of the employer named below.**EMPLOYER** City of Elma, Washington**CONTACT PERSON** Mayor David Osgood**ADDRESS** P.O. Box E**CITY, STATE, ZIP** Elma, Washington 98541**TELEPHONE** 360-482-2212 ext. _____**FAX** 360-482-4966**E-MAIL** _____**ATTORNEY OR****REPRESENTATIVE** Puget Sound Employers, Mike and Bette Meglemre**ADDRESS** P.O. Box 4160**CITY, STATE, ZIP** Spanaway, Washington 98387**TELEPHONE** 253-846-8868 ext. _____**FAX** 253-846-8869**E-MAIL** bmeglemre@comcast.net**PETITIONER** FOP Olympic Mtn Lodge #23, Elma Labor Cmnte**CONTACT PERSON** Josh Wheeler**ADDRESS** P.O. Box K**CITY, STATE, ZIP** Elma, Washington 98541**TELEPHONE** 360-482-3131 ext. _____**FAX** 360-482-3717**E-MAIL** _____**ATTORNEY OR****REPRESENTATIVE** Gil Gallegos**ADDRESS** 2305 Covine Place NW**CITY, STATE, ZIP** Albuquerque, NM 87104**TELEPHONE** 505-842-9511 ext. _____**FAX** _____**E-MAIL** ggallegosfop@aol.com**INCUMBENT BARGAINING REPRESENTATIVE** *Indicate one.*☐ The parties are not currently represented for bargaining; OR☒ The employees involved are currently represented by the organization below:**ORGANIZATION** FOP Twin Harbors Lodge #13, Elma Labor Cmnte**CONTACT PERSON** Josh Wheeler**ADDRESS** P.O. Box K**CITY, STATE, ZIP** Elma, Washington 98541**TELEPHONE** 360-482-3131 ext. _____**FAX** 360-482-3717**E-MAIL** _____**ATTORNEY OR****REPRESENTATIVE** Gil Gallegos**ADDRESS** 2305 Covine Place NW**CITY, STATE, ZIP** Albuquerque, NM 87104**TELEPHONE** 505-842-9511 ext. _____**FAX** _____**E-MAIL** ggallegosfop@aol.com**2. DESIGNATION OF REQUEST** *Indicate one.*☒ **RECOGNITION REQUEST** The petitioner requests certification as exclusive representative of the bargaining unit.☐ **CHANGE OF REPRESENTATIVE** The employees in the bargaining unit desire to designate the petitioner as their exclusive bargaining representative.☐ **DECERTIFICATION** The employees in the bargaining unit no longer wish to be represented by any employee organization.☐ **EMPLOYER PETITION - DEMAND FOR RECOGNITION** The employer has been presented with one or more demands for recognition (per attached documentation) and requests a determination by the Commission.☐ **EMPLOYER PETITION - INCUMBENCY QUESTIONED** The employer has a good faith belief (per attached documentation) that a majority of employees no longer desire to representation by the incumbent bargaining representative.**4. OTHER RELEVANT FACTS** *Indicate one.*☐ Additional information is set forth on separate sheets of paper attached to this petition.**3. BARGAINING UNIT****EMPLOYER'S PRINCIPAL BUSINESS**Municipal Government**DEPARTMENT OR DIVISION INVOLVED**Police Department**COLLECTIVE BARGAINING AGREEMENT** *Indicate one.*☐ The parties have never had a contract; OR☒ A copy of the parties' current (or most recent) collective bargaining agreement is attached.**NUMBER OF
EMPLOYEES
IN UNIT** _____**DESCRIPTION** *Indicate inclusions, exclusions, contract page or case/decision number.*

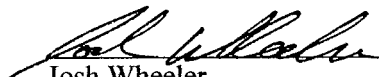
The current Bargaining Representative certified by PERC is the Fraternal Order of Police Twin Harbors Lodge #13, Elma Labor Committee. FOP Twin Harbors Lodge #13 has merged with Fraternal Order of Police Olympic Mountain Lodge #23 and is now known by that name. The FOP seeks an amendment to the certification by changing the name of the Bargaining Representative to: Fraternal Order of Police Olympic Lodge #23, Elma Labor Committee. A sworn affidavit evincing the bargaining unit members unanimous vote to approve the merger of the two Lodges is attached to this Petition.

5. SHOWING OF INTEREST*A petition filed by an organization or employees must be accompanied by a***6. AUTHORIZED SIGNATURE FOR PETITIONER****PRINT NAME** Gil Gallegos**TITLE** _____

**AFFIDAVIT IN SUPPORT OF PETITION TO AMEND
CERTIFICATION ISSUED IN PERC CASE NO. 21308-E-07-03307**

Before me, the undersigned authority, personally appeared Josh Wheeler who, after being first duly sworn, testified as follows:

1. My name is Josh Wheeler, I am over the age of 18 years, I have personal knowledge of the facts stated herein, and I am otherwise competent to make this affidavit.
2. I am a certified law enforcement officer employed by the City of Elma, Washington and I have been elected by the members of Elma Police Officers Bargaining Unit to serve as Chair of the Elma Labor Committee.
3. On December 11, 2007, the Fraternal Order of Police Twin Harbors Lodge No. 13, Elma Labor Committee was certified as the Exclusive Bargaining Representative in PERC Case No. 21308-E-07-03307.
4. On 1/01/09, the Elma Labor Committee was informed that FOP Twin Harbors Lodge No. 13 was merging with FOP Olympic Mountain Lodge No. 23 and the merged Lodge would thereafter be known as FOP Olympic Mountain Lodge No. 23.
5. On 1/01/09, the Elma Labor Committee informed the Bargaining Unit members of the merger and vote was held by secret ballot to determine whether the Bargaining Unit members wanted to be members of the newly merged Lodge.
6. The result of the vote was a unanimous decision by the Bargaining Unit members to be included in the membership of the merged Lodge and to accept FOP Olympic Mountain Lodge No. 23 as their Local Lodge.
7. All other aspects of FOP membership and membership in the Elma Labor Committee have remained the same and the members wish to have the Certification of the Exclusive Bargaining Representative in PERC Case No. 21308-E-07-03307 amended to reflect the new name of Fraternal Order of Police Olympic Mountain Lodge No. 23, Elma Labor Committee.


Josh Wheeler
Elma Labor Committee Chair

State of Washington
County of Grays Harbor

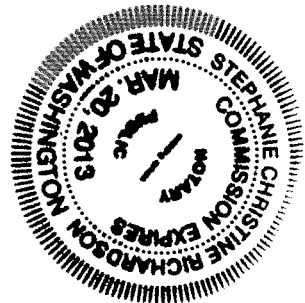
Signed and sworn to (or affirmed) before me on 11/13/09 by Josh Wheeler.

Signature of Notary Stephanie Richardson

Title of Notary Assistant Club Treasurer

My appointment expires March 20, 2013

(Seal or stamp)



STATEMENT OF SERVICE

RECEIVED
OLYMPIA, WA

IT IS HEREBY CERTIFIED that a true and correct copy of the Petition For
Investigation Of Question Concerning Representation has been sent certified
U.S. Mail this day, the 10th day of December, 2009 to:

2009 DEC 11 PM 3:16
PUBLIC EMPLOYMENT
RELATIONS COMMISSION

Public Employment Relations Commission
112 Henry Street NE
Suite 300
Olympia, WA 98504-0919
filing@perc.wa.gov

City of Elma, Washington
Attn: Mayor David Osgood
PO Box E
Elma, Washington 98541

Puget Sound Employers
Mike & Bette Meglemre
PO Box 4160
Spanaway, Washington 98387
bmeglemre@comcast.net

FOP Olympic Mountain Lodge #23
Elma Labor Committee
Attn: Josh Wheeler
PO Box K
Elma, Washington 98541